

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05 10596 NMG

THOMAS KELLEY,)
Plaintiff,)
)
V.)
)
TOWN OF PLYMOUTH and)
ROBERT J. POMEROY, as Chief of the)
Plymouth Police Department and)
Individually)
Defendants.)

**DEFENDANTS' ASSENTED TO MOTION FOR LEAVE OF COURT TO ALLOW
INSURANCE CLAIM ADJUSTER TO PARTICIPATE IN MEDIATION VIA PHONE**

The Defendants hereby move for leave of Court pursuant to Local Rule 16.4 (B) to allow the defendants' insurance claim adjuster to participate in mediation *via* telephone. As grounds therefore, the Defendants state that their adjuster returned from military service in Iraq recently and has a scheduled family vacation planned for the week of September 8, 2008. The Defendants had suggested mediating this matter privately, however, the plaintiff's attorney would not agree.

Wherefore, the Defendants respectfully request that this honorable Court grant their Motion.

Assented to,
PLAINTIFF,
THOMAS KELLEY,
By his attorney,
By their attorneys,

Respectfully submitted,
DEFENDANTS,
ROBERT J. POMEROY and the
TOWN OF PLYMOUTH,

/s/ Joseph R. Gallitano
Joseph R. Gallitano
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Suite 202
Plymouth, MA 02360
(508) 746-1500

Date: August 25, 2008

/s/ Jeremy I. Silverfine
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